

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CITY OF DETROIT,

Plaintiff,

v.

Case No. 24-cv-10775
Hon. Matthew F. Leitman

UNITED STATES DEPARTMENT
OF COMMERCE, *et al.*,

Defendants.

**ORDER TERMINATING MOTIONS FOR
SUMMARY JUDGMENT (ECF No. 32, 33) WITHOUT PREJUDICE**

On December 5, 2024, the Court held a hearing on the parties' cross-motions for summary judgment. (*See* Motions, ECF Nos. 32, 33.) As the Court explained on the record during its discussion with counsel, the Court is not yet persuaded that Plaintiff City of Detroit has made a sufficient evidentiary showing to withstand Defendants' summary judgment motion on the basis of lack of standing. However, the Court concludes that the City may be able develop sufficient evidence of its standing to defeat a motion for summary judgment. Thus, rather than granting the Defendants' motion and dismissing this action without prejudice for lack of standing, for the reasons explained on the record, the Court instead will **TERMINATE** the pending motions for summary judgment without prejudice and allow the parties to conduct expert discovery in order to develop an evidentiary

record on the issue of standing. That period of discovery will include the exchange of expert reports and expert depositions. As further discussed on the record, the parties shall meet and confer in an effort to agree upon a schedule for the expert discovery and the re-filing of summary judgment motions following that period of discovery. Once the parties agree upon that schedule, they shall submit the schedule to the Court through a stipulated order. If the parties cannot agree, they shall notify the Court, and the Court will conduct a status conference to set the schedule.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: December 5, 2024

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on December 5, 2024, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

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